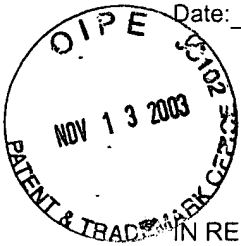


I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C., 20231, on:

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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: KIM *ET AL.*

APPLICATION No.: 09/875,453

FILED: JUNE 6, 2001

FOR: PROMOTERS FOR REGULATED GENE EXPRESSION

EXAMINER: SANDALS, WILLIAM O.

ART UNIT: 1636

CONF. No: 7454

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**Declaration Under 37 C.F.R. § 1.821**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Larry W. Thrower, declare and affirm as follows:

1. I am an agent for the applicant.
2. The diskette which accompanies this Declaration contains the required sequence listing.
3. The sequence listing recorded on said diskette matches the hard copy of the sequence listing accompanying this Declaration.
4. The present submission contains no new matter relative to the application as originally filed.

Respectfully submitted,  
Perkins Coie LLP

Date: 11-5-03

[Signature]  
Larry W. Thrower  
Registration No. 47,994

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